

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

MONIGUE R. KIRKNESS,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Case No. 3:10-CV-05814-KLS

ORDER OF REMAND

Based on the stipulation of the parties, it is ORDERED and ADJUDGED that the Commissioner's decision in regard to Plaintiff's application for disability insurance benefits under Title II of the Social Security Act and for Supplemental Security Income disability benefits under Title XVI of the Social Security Act is REVERSED and REMANDED for further administrative proceedings under sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will offer Plaintiff an opportunity for a new hearing, re-evaluate the lay witness evidence from Plaintiff's mother, Darlene Shoemaker, further consider the medical opinion of Dr. Christopher Komanapalli, further evaluate Plaintiff's residual functional capacity, and obtain supplemental vocational expert testimony.

1 The ALJ will perform any further development and conduct any further proceedings
2 deemed necessary. The ALJ and Plaintiff may also raise and pursue additional issues, including
3 any discussed in Plaintiff's brief. The parties stipulate that this remand be made pursuant to
4 sentence four of 42 U.S.C. § 405(g), and that Plaintiff will be entitled to reasonable attorney fees
5 and costs pursuant to 28 U.S.C. § 2412 (d), upon proper request to this Court.

6 DATED this 4th day of April, 2011.

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9 Karen L. Strombom
10 United States Magistrate Judge

11 Presented by:

12 s/ Leisa A. Wolf
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